

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

1
F766a



CONSTITUTION
AND
BY-LAWS
OF THE

STOCK ASSOCIATION

ADOPTED AT.....,

.....19.....

CONSTITUTION.

ARTICLE I.

SECTION 1. The name of this association shall be.....

..... Stock Association.

ARTICLE II.

SECTION 1. The object of this association shall be to promote and protect the business of raising upon and adjacent to the
(Class of stock.)

..... National Forest; to work in cooperation with the Forest Service in the administration and use of the national forest grazing lands for which this association may be recognized; to do any and all things lawful, just, and necessary to further the interests of this association in grazing and related matters and otherwise in connection with the livestock industry.

ARTICLE III.

SECTION 1. Any person, firm, or corporation holding a permit to graze

..... on
(Class of stock.)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
(Here define the limits of the national forest range for which the association wishes recognition, specifying grazing division, district, and name of forest.)

may become a permittee member of the association by signing the constitution and by-laws and paying the initiation fee provided for in the by-laws.

Persons, firms, or corporations, not entitled to be permittee members, provided they are owners of the class of stock for which the association is recognized, may become nonpermittee members of the association by election upon the affirmative vote of a majority of the members present, at the annual or at a special meeting of the association, and the payment of the initiation fee prescribed in the by-laws: *Provided*, That at any meeting at which an officer of the association or a member of the advisory board is to be elected, the election of such officer or member of the advisory board shall take place before the election of new members.

Except as otherwise provided in the constitution and by-laws, permittee and nonpermittee members shall have equal rights and privileges and shall be subject to the same duties and liabilities.

ARTICLE IV.

SECTION 1. The officers of the association shall consist of a president, vice president, and secretary-treasurer. There shall also be an advisory board, consisting of the president of the association, who shall be the chair-

man of the advisory board, and additional members. The
(Two or four.)
officers of the association, and the members of the advisory board with the exception of the secretary-treasurer, shall be chosen from members of the association who hold national forest permits to graze on some national forest the class of stock for which this association is recognized by the Forest Service.

ARTICLE V.

SECTION 1. The advisory board shall be elected at the annual meeting or at a special meeting of the association. A majority of the advisory board shall constitute a quorum. At meetings of the advisory board the members must vote in person. Proxies can not be used at such meetings.

SECTION 2. The advisory board shall work in cooperation with the Forest Service and such other organizations or persons, as may be necessary, in grazing and related matters pertaining to the use of the national forest and adjacent range.

SECTION 3. The advisory board may on behalf of the association enter into agreements, borrow money, assume obligations, levy assessments, prescribe requirements pertaining to the use and occupancy of the national forest range for which this association is recognized and adjacent range, and shall transact the general business of the association, and each and every act of the advisory board in such matters shall be binding upon the association and each and all of the members thereof: *Provided*, That before the advisory board may act in any matter which may require a payment by

any member of the association of a sum in excess of \$..... per head of stock owned by such member, authority for such action must be given by the association at the annual or at a special meeting: *And provided further*, That the advisory board may upon the written request of a majority of the Forest Service permittees using a portion of the national forest range described in Article III, prescribe requirements or levy assessments which

shall be applicable only to that portion of said range and to the permittees who use the same, but not to the remainder of the range described in Article III or to other permittees.

ARTICLE VI.

SECTION 1. The association may also, at the annual meeting or at a special meeting, levy assessments for any purpose contemplated by this constitution. Such assessments shall have the same force and effect as if levied by the advisory board: *Provided*, That in all matters in which the cooperation of the Forest Service is desired the same shall be presented to the Forest Service through the advisory board as hereinafter provided.

SECTION 2. Members shall be assessed upon the total number of stock which they own and which are affected by the assessments, and the advisory board shall determine the number of stock of each member to be affected by the assessment: *Provided*, That when an assessment is levied in connection with the handling of stock on the national forest range for which this association is recognized, or any subdivision thereof, it will be based upon the number of stock grazed thereon by each member under permit during the grazing season in which the assessment is to be enforced.

Assessments pertaining exclusively to the national forest range for which the association is recognized, or any subdivision thereof, shall not be levied upon members of the association who do not hold permits on such range.

SECTION 3. If the cooperation of the Forest Service is desired in the enforcement of any requirement or the collection of any assessment for all or a portion of the forest range, such requirement or assessment shall, after adoption by the advisory board, be recommended in writing by the advisory board to the Forest Service for approval, accompanied by a written statement satisfactory to the Forest Service showing the purpose of the requirement or assessment.

SECTION 4. Requirements or assessments adopted by the advisory board and approved by the Forest Service may be included by the Forest Service as special rules in the permits issued for that portion of the range for which the association is recognized, or to any subdivision thereof, to which such requirements or assessments are intended to apply.

SECTION 5. Neither the advisory board nor the association shall have power to exempt or relieve any person, firm, or corporation from the application of a special rule without first securing the approval of the district forester, and no assessment levied and paid under a special rule shall be refunded by the association or the advisory board without the approval of the district forester.

ARTICLE VII.

SECTION 1. Any officer of the association authorized to receive or disburse money for or on behalf of the association may be required to give the association such bond for the proper discharge of his duty as the association may direct.

SECTION 2. When an assessment is to be collected under a special rule any official of the association designated to receive or disburse the money must give to the association or the members thereof, when required by the Forest Service, a good and sufficient bond which must be approved by the Forest Service: *Provided*, That a joint bond may be given where more than one officer is designated to handle the funds.

SECTION 3. All disbursements of the funds of the association shall be made by check.

ARTICLE VIII.

SECTION 1. Amendments to the constitution of this association may be made only at the annual meeting. A majority vote of all the members in good standing shall be necessary to amend the constitution. Voting by proxy at the election of members of the advisory board or on amendments to the constitution will not be permitted. Amendments in conflict with the rules and regulations of the Forest Service shall be void.

ARTICLE IX.

SECTION 1. No business of the association shall be transacted at any meeting unless a quorum is present. A quorum shall consist of a majority of the members of the association who are in good standing at the time of the meeting. Except upon amendments to the constitution a majority vote when a quorum is present shall carry. Unless a member is in good standing he shall not be entitled to vote or to be elected to office or to the advisory board. A member shall not be in good standing unless he shall have complied with all of the requirements adopted by or on behalf of the association under the constitution and by-laws thereof.

SECTION 2. Each member in good standing shall be entitled to one vote. Except where otherwise provided, voting by proxy may be permitted in connection with any business of the association.

BY-LAWS.

ARTICLE I.

SECTION 1. The annual meeting of this association shall be held at of each year.

SECTION 2. Special meetings shall be held at such times and places as may be designated by the president or a majority of the advisory board. Written notice of all meetings of the association shall be sent to the last known address of each member by the secretary-treasurer at least seven days before the date of such meeting. Notices covering special meetings shall state the purpose for which said meetings are called. No business shall be transacted at a special meeting except as stated in the notice calling the same unless the members in good standing present at the meeting give their unanimous consent thereto.

SECTION 3. Except as otherwise provided in the constitution and by-laws, any business of the association may be transacted at any meeting at which a quorum is present.

ARTICLE II.

SECTION 1. The officers of the association and the advisory board shall be elected by ballot and installed at the annual meeting of the association or at a special meeting and shall hold office until the next annual meeting after their election or thereafter until their successors have been duly elected and installed. Vacancies shall be filled by election.

SECTION 2. The duties of the respective officers shall be those usually incident to such offices and as defined in the by-laws.

ARTICLE III.

SECTION 1. It shall be the duty of the president to preside at all meetings to supervise the work of the association, and direct the work of its officers. He shall approve and countersign all checks for the expenditure of money for the association and shall perform all the duties that devolve upon such office.

SECTION 2. Meetings of the advisory board shall be called by the secretary-treasurer upon request from the president, or from a majority of the advisory board, or from the supervisor of the.....National Forest.

ARTICLE IV.

SECTION 1. The vice president shall perform all duties of the president in the absence of the president or in the event of his inability to act.

ARTICLE V.

SECTION 1. It shall be the duty of the secretary-treasurer to conduct the correspondence of the association; to keep all records and accounts; to make out and turn over to the association a list of all assessments ordered by the association or the advisory board, showing each member's portion; to collect from the members of the association the assessments made by it or by the advisory board and to issue receipts therefor; to keep in a book for that purpose an accurate account of the same; and to do all things necessary in the conduct of the business of the association which may be assigned to him by the association or the advisory board. He shall sign all checks and vouchers for disbursing the funds of the association or funds received by him by reason of his office as secretary-treasurer of the association, and the vouchers shall show for what purpose such moneys are paid. He shall submit a written report to the association at its annual meeting, giving account of the business transactions of the association for the year just closed, amounts received and disbursed, from whom and on what account received, and for what purpose paid out. The books of the secretary-treasurer shall be audited at least yearly by such persons as the association may designate and a report of the audit shall be submitted to the association at each annual meeting. The books of the secretary-treasurer shall be open for inspection by any member of the association and the supervisor of the

..... National Forest at any and all times. He shall report promptly to the said forest supervisor the receipts of all moneys from assessments, all changes in the personnel of the officers, advisory board, and members of the association, and all changes in the constitution or by-laws. He shall also submit to the said forest supervisor an annual statement not later than January 15 of each year, covering all moneys received during the preceding calendar year under assessments levied by reason of a special rule, indicating therein in detail the purposes for which such moneys were expended.

SECTION 2. The secretary-treasurer of the association shall be the secretary of the advisory board. He need not be a member of the association nor of the advisory board. He shall not be entitled to vote with the advisory board unless he is a member thereof nor with the association unless he is a member thereof.

ARTICLE VI.

SECTION 1. For the purpose of providing for incidental expenses, an initiation fee ofdollar.. shall be charged. The annual dues of each member of this association shall be the sum of.....dollars, payable to the secretary-treasurer on or before..... in each year.

SECTION 2. Permittee members whose permits have been revoked by the Forest Service and nonpermittee members who refuse to pay the annual dues or such assessments as may be levied by the association or the advisory board will be subject to suspension or expulsion. A majority vote at any meeting of the association shall be sufficient to suspend or expel a member.

ARTICLE VII.

SECTION 1. Amendments to the by-laws may be made only at the annual meeting by a majority vote if a quorum is present. Amendments to the by-laws in conflict with the rules and regulations of the Forest Service shall be void.

ARTICLE VIII.

SECTION 1. The president and vice president shall receive no salary for services rendered in their respective positions as such officers, but the secretary-treasurer and members of the advisory board shall be allowed for their services as such, whatever compensation the association may authorize.

ARTICLE IX.

SECTION 1. The order of business of any meeting of the association shall be as follows:

1. Call to order..
2. Roll call and ascertainment of standing of members.
3. Ascertainment of a quorum.
4. Reading of minutes of last meeting.
5. Unfinished business.
6. Consideration of reports of secretary-treasurer and auditing committee.
7. Reading of communications.
8. Report of advisory board.
9. Reports of special committees.
10. Reports of standing committees.
11. Regular business, including offering and discussion of resolutions.
12. Election of officers, by ballot.
13. Installation of new officers.
14. Admission of new members.
15. Appointment of committees.
16. Adjournment.

We, the undersigned, members of the.....

..... Stock Association, agree to support the constitution and by-laws.

.....

.....

.....

.....

.....

.....

.....

